

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In Re Asbestos Products	:	
Liability Litigation (No. VI)	:	MDL 875
	:	
See Attached List of Cases	:	
_____	X	

ORDER

_____ This Court has previously administratively dismissed each of the cases listed on the attachment to this order pending the determination of certain issues by the Bankruptcy Court. Those issues having now been resolved, these cases are hereby reinstated for the purposes set forth herein.

Each of these cases was originally filed in the state court and subsequently either removed or transferred by the Judicial Panel on Multidistrict Litigation to the United States District Court for the Eastern District of Pennsylvania. The removal in each case was predicated upon the theory of “related to” bankruptcy jurisdiction, vis-a-vis the bankruptcy filing in the United States District Court for the District of Delaware by Federal Mogul Corporation or the bankruptcy filing by Armstrong World Industries. A large number of similar cases were directly transferred or removed to the Bankruptcy Court in Delaware the Third Circuit designated the Honorable Alfred M. Wolin as the presiding judge. Having completed an extensive briefing and hearing process, Judge Wolin, on February 8, 2002, issued his ruling that the Bankruptcy Court lacked jurisdiction in these matters and thereupon ordered their transfer back to the various state courts. The order was appealed to the United States Court of Appeals for the Third Circuit and on July 31, 2002, Judge Slovitor issued the Court’s opinion upholding Judge Wolin’s decision. The Supreme Court denied cert and all avenues for appeal appear to have been exhausted by the parties.

The actions before this Court are all cases similarly situated with regard to their removal from the state court. The Court can find no reason not to comply with Judge Wolin's decision as it relates to the removal of these cases to the federal court.

IT IS ORDERED that each of these cases is hereby reinstated and remanded to the State of Pennsylvania Commonwealth Court from whence it was removed to this Court.

DONE this 3rd day of October, 2002.

BY THE COURT

Charles R. Weiner S.J.